IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 22ND JUNE 2007 / 1ST ASHADHA 1929

Crl.Rev.Pet.No. 197 of 1999

CRL.A.184/1998 OF VTH ADDL.SESSIONS COURT, ERNAKULAM,
CC.175/1997 OF JUDL.MAGISTRATE OF FIRST CLASS-I, ERNAKULAM.
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PETITIONER IN CRL.R.P/APPELLANT IN CRL.A.184/98/ACCUSED IN C.C:

HARRIS BAVA,
CHETTIPARAMBU,
PAREPARAMBU ROAD, KALOOR,
KOCHI - 17.

BY ADV. SRI.T.M.MATHAI.

RESPONDENTS IN CRL.R.P/RESPONDENTS IN CRL.APPEAL/COMPLAINANT IN C.C. 175/97:
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1. **T.L. PAUL, S/O. LONAN,**
   THOPPIL HOUSE,
   CHITTUPADUKARA,
   EDAPPALLY.P.O., KOCHI - 25.

2. **STATE OF KERALA,**
   REPESENTED BY GOVERNMENT PLEADER,
   HIGH COURT OF KERALA,
   ERNAKULAM.

BY ADV. SRI.M.R.RAJENDRAN NAIR (SR.)
SRI.M.R.SUDHEENDRAN
PUBLIC PROSECUTOR SRI. C.K. SURESH.

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 22/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J.

CRL.R.P. NO. 197/1999

Dated 22nd June, 2006.

O R D E R

The **re**vision petitioner stands convicted for the offence under section 138 N.I.Act and sentenced to undergo simple imprisonment for 3 months and to pay a fine of Rs.20,000/- and in default to undergo simple imprisonment for 2 months. It is ordered that the fine amount if realised, a sum of Rs.14,000/- shall be paid to the complainant towards compensation. The counsel for the revision petitioner has only sought for modification of the sentence and time to pay the amount.

2. In the circumstances, the sentence is modified to imprisonment till the rising of the court and to pay a compensation of Rs.20,000/- vide section 357(3) Cr.P.C and in default to undergo simple imprisonment for 2 months. The revision petitioner is granted two months time from today onwards to pay the amount of compensation. The revision petitioner shall appear before the JFCM-I, Ernakulam on 4-9-2007 to receive the sentence.

. The Crl.R.P. is disposed of accordingly.

(K.R.UDAYABHANU)
Judge

kvm/-

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K.R.UDAYABANU, J.

CRL.R.P.NO.197/1999

ORDER

22-6-2007